

EXHIBIT C

~~XXXX~~ Appellate Division, Second
Department of the Supreme Court of
the State of New York ~~at the~~

~~Courthouse of the State of New York at~~

~~Monroe Place, Brooklyn, New York~~

~~on the xxx day of September 2021.~~

~~XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~
~~NON~~

SUPREME COURT OF THE STATE OF NEW YORK
APPELLATE DIVISION – SECOND DEPARTMENT

-----X
STAR AUTO SALES OF QUEENS LLC D/B/A
STAR SUBARU,

Appellate Division Docket
~~Docket~~ No. 2019-05817

Plaintiff-Appellant,
- against -

EMERGENCY ORDER
TO SHOW CAUSE

DOUGLAS FILARDO AND SUBARU
MOTORSPORTS D/B/A MOTORSPORTS
ADVERTISING,

Defendants-Respondents.

-----X

Upon the annexed affidavit of the Douglas Filardo, a Respondent-Defendant, sworn to on September 24, 2021, and Affirmation of Ronald D. Weiss, Esq., counsel for the Appellant, dated September 24, 2021, the Notices of Appeal filed with the Court, the facts, and circumstances herein, and upon all the pleadings and proceedings heretofore had herein,

LET, STAR AUTO SALES OF QUEENS LLC D/B/A STAR SUBARU (hereinafter “Appellant-Plaintiff”) show Cause before the Appellate Division, Second Department of the Supreme Court of the State of New York, the Courthouse located at 45 Monroe Place, Brooklyn, NY 11201, on the 4th day of October, 2021 at 9:30 in the forenoon of that day or as soon thereafter as counsel can be heard,

WHY AN ORDER SHOULD NOT BE MADE AND ENTERED to stay the Inquest currently scheduled for September 27, 2021 at 2:30 pm to be conducted at the Queens County Supreme Court to determine the allegedly damages sustained by the Appellant-Plaintiff because the Plaintiff has appealed an Order of the lower court which dismissed a majority of the causes of action against the Respondents-Respondents-Defendants and a Decision on the appeal is necessary to clarify the causes of action at issue and to save judicial resources and time; and to stay any and all actions and proceedings for a judgment against the Respondents-Respondents-Defendants in the lower Court, Queens County Supreme Court action bearing Index number: 717443/2017, pending a determination of the appeal; and for such other and further relief as this Court deems just and proper.

SUFFICIENT CAUSE THEREFOR APPEARING, it is ~~hereby~~

~~ORDERED, that pending the hearing and determination of this Order to Show Cause motion, pursuant to CPLR §5519, any actions, proceedings that could cause a judgment to be entered against the Respondents-Respondents-Defendants in the lower court action bearing Index Number: 717443/2017, including, but not limited to the Inquest scheduled for September 27, 2021, are hereby stayed, and it is further~~

~~ORDERED, that pending the hearing and determination of this ~~xxxxxxx~~ motion, pursuant to CPLR §5519, the Appellant Plaintiff is stayed from filing any motions or other documents in the lower Court action pending against the Respondents-Respondents-Defendants in order to obtain a Judgment, inquest or trial, and it is further~~

~~this~~
ORDERED, that service of a copy of ~~the within~~ Order to Show Cause and the papers upon which it ~~is based~~ be made on or before September 27, 2021, upon Milman Labuda Law

Group PLLC, counsel for the ~~Appellant~~-Plaintiff, with offices located at 300 Marcus Avenue, Suite 3W8, Lake Success by overnight delivery or email and by uploading a copy of this order to show cause and the papers upon which it was made to NYSCEF under the Appellate Division, Second Departments module, shall be deemed sufficient service thereof.

Dated: Brooklyn, New York
September 24, 2021



HON. Angela G. Iannacci
Associate Justice

NOTE: There is no appearance on the return date. The motion is decided on papers alone.